

**MINUTES**

**CALL TO ORDER**

Meeting called to order by Mr. Kaplan, Acting Chair at 7:05 p.m.

**ATTENDANCE**

**PRESENT:** Kaplan, Allen, Angus, Hamin, Scott, Stein

**STAFF:** Ziomek, Ciccarello, Malloy

**OTHERS:** John Nicolaou, John & Margaret Nunnelly, Jason Edwards, Bob Stover

**CONSERVATION COMMISSION'S ACTION**

**Approve Minutes**

**VOTED** unanimously (5-0-1) Allen, Angus, Hamin, Kaplan, Scott and Stein voted "Aye," Harvey abstained, to approve the Conservation Commission minutes of March 25, 2009.

**VOTED** (5-0-1) Allen, Angus, Hamin, Scott and Stein voted "Aye," Kaplan abstained to approve the Conservation Commission minutes of April 2, 2009, as amended.

**PERMITS/CERTIFICATES**

**Nunnelly Pond Violation**

John Nunnelly noted the report from Alec Macleod was just received that day and that the Wetlands Administrator had suggested that they have a more complete discussion at the May 13 meeting.

**VOTED** unanimously (6-0), to issue an enforcement order requiring a mitigation plan be submitted by May 13, 2009.

**Request for Determination – John Nicolaou (RFD 09-1150)** for landscaping activities in the buffer zone of bordering vegetated wetlands located at 35 South Orchard Drive (26B, Parcel 131).

- Opened the public meeting at 7:43 p.m.
- Closed the public meeting at 7:58 p.m.

John Nicolaou presented.

**VOTED** unanimously to close the public meeting and to issue a negative determination for the work with the condition that the boardwalk be replaced within the existing footprint or less.

**Request for Determination – Town of Amherst, Conservation Department (RFD 09-1151)** to replace a segment of a bridge that is located in a bordering vegetative wetland at 525 South Pleasant Street (Map 17A, Parcel 50).

- Opened the public meeting at 7:59 p.m.
- Closed the public meeting at 8:05 p.m.

David McKinnon, Assistant Land Manager, presented for the Town.

**VOTED** unanimously (6-0), to close the public meeting and to issue a negative determination for the work.

**Notice of Intent – Jason Edwards (NOI 09-1152)** – for construction of a barn and driveway at 986 Bay Road (Map 30A, Lot 4).

- Opened the public hearing at 8:06 p.m.
- Closed the public hearing at 8:20 p.m.

Dan Kaplan disclosed that his place of employment directly abuts the property, but that he has no financial interest or benefit from the proposal.

Bob Stover presented for the applicant.

**VOTED** unanimously (6-0), to close the public hearing and to issue an Order of Conditions for the project with the special condition that prior to the commencement of work, the applicant shall submit a wetlands mitigation strategy to our wetland administrator to her satisfaction and follow up monitoring reports for two consecutive growing seasons.

### **Potwine Lane Turf Management Plan**

Peter Wells, Berkshire Design Group, presented and gave a brief overview of the setbacks (weather, flooding, installation of irrigation system, etc.) encountered in trying to establish grass for the fields. Consequently they have a problem with crabgrass and are asking to use an herbicide to kill the crabgrass seed in the soil. They are considering using a low release fertilizer and pre-emergent herbicide. Leaching from Polyon is extremely low and below EPA's safe drinking water act guidelines as far as per parts per million. Thereafter, they will use an organic method (corn gluten) to control the crabgrass. Commission members urged LSSE to return in the fall with an update report after this season's application and urged the use of solely organic treatments in the future.

### **Open Space Plan**

Nate Malloy, Associate Planner, gave a brief presentation. A special meeting will be held on May 5, 2009 for a complete presentation to the Commission.

**MISCELLANEOUS**

Otto Stein noted that the Public Shade Tree Committee will be meeting at some point with the Tree Warden the Planning Board to discuss the widening of Sand Hill Road. Since it is designated as a Scenic Road, the trees may not be taken down.

Harvey Allen reported on the HCE director's meeting. The Salamander Soiree was successful in raising funds for the center. Their next event will be the 9<sup>th</sup> Annual Biothon a fundraising event for the environmental education programs of the Hitchcock Center. It involves teams of people going out to document as many species they can find within a 3-day period, starting at sunrise on Friday, May 15, and ending at sunset on Sunday, May 17.

Mr. Allen also noted that he went to Worcester to view the damage done by the Asian Longhorn Beetle.

Briony Angus indicated that she presented the Conservation Commission's CPAC articles at the warrant review meeting the previous evening.

**ADJOURNMENT**

**VOTED** unanimously to adjourn the open meeting at 9:10 p.m.